

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In Re:  
Craig R. Hughes, Jr. & Michelle L. Hughes

Case No.: 16-14170  
Judge: JNP  
Chapter: 13

Debtor(s)

**Chapter 13 Plan and Motions**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Original         | <input checked="" type="checkbox"/> Modified/Notice Required | <input checked="" type="checkbox"/> Discharge Sought |
| <input type="checkbox"/> Motions Included | <input type="checkbox"/> Modified/No Notice Required         | <input type="checkbox"/> No Discharge Sought         |

Date: June 16, 2017

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE

**YOUR RIGHTS WILL BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED  
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN  
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

**Part 1: Payment and Length of Plan**

a. The debtor shall pay \$ 210.00 per month to the Chapter 13 Trustee, starting on April 1, 2016 for approximately 36 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future earnings
- ☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: \_\_\_\_\_

- ☐ Refinance of real property:

Description:

Proposed date for completion: \_\_\_\_\_

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: \_\_\_\_\_

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:

**Part 2: Adequate Protection**

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \_\_\_\_\_ (creditor).

**Part 3: Priority Claims (Including Administrative Expenses)**

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Hoffman DiMuzio	Administrative	\$3,575.00

**Part 4: Secured Claims**

**a. Curing Default and Maintaining Payments**

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Credit Acceptance	2003 Dodge Ram	\$840.00	0%	100% of arrears	\$420.00

**b. Modification**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
None							

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**c. Surrender**

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Bank of America Home Loans	Residence	\$140,000.00	\$159,222.99

**d. Secured Claims Unaffected by the Plan**

The following secured claims are unaffected by the Plan:  
None

**e. Secured Claims to be Paid in Full Through the Plan:**

Creditor	Collateral	Total Amount to be Paid Through the Plan
None		

**Part 5: Unsecured Claims**

**a. Not separately classified** allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ \_\_\_\_\_ to be distributed *pro rata*  
☐ Not less than \_\_\_\_\_ percent  
☒ *Pro Rata* distribution from any remaining funds

**b. Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid
None			

**Part 6: Executory Contracts and Unexpired Leases**

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
None		

**Part 7: Motions**

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.**

**a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
None							

**b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
None		

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
None			

**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

- ☐ Upon confirmation  
☒ Upon discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Administrative Expenses
- 3) Priority Claims
- 4) Unsecured Claims

**d. Post-Petition Claims**

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9: Modification**

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: March 7, 2016.

Explain below **why** the plan is being modified:  
Reflect Bank of America Home Loans receiving Stay Relief.

Explain below **how** the plan is being modified:

Part 1(c) - Remove Loan Modification.  
Part 2(b) - Remove adequate protection payments being made to Bank of America Home Loans.  
Part 4(c) - Reflect surrender of real estate.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

**Part 10: Sign Here**

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: June 16, 2017

/s/ Richard S. Hoffman, Jr.

Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: June 16, 2017

/s/ Craig R. Hughes, Jr.

Debtor

Date: June 16, 2017

/s/ Michelle L. Hughes

Joint Debtor

**Certificate of Notice Page 8 of 9**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Craig R. Hughes, Jr.  
 Michelle L. Hughes  
 Debtors

Case No. 16-14170-JNP  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
 Form ID: pdf901

Page 1 of 2  
 Total Noticed: 39

Date Rcvd: Jun 19, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 21, 2017.

db/jdb  
 cr +Craig R. Hughes, Jr., Michelle L. Hughes, 109 Dealtown Road, Pittsgrove, NJ 08318-3817  
 ++CREDIT ACCEPTANCE CORPORATION, 25505 WEST 12 MILE ROAD, SOUTHFIELD MI 48034-8316  
 (address filed with court: Credit Acceptance Corporation, 25505 W. 12 Mile Road,  
 Southfield, MI 48034-1846)  
 cr +NATIONSTAR MORTGAGE LLC, Robertson, Anschutz & Schneid, P.L.,  
 6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853  
 516041728 +After Disaster Housing Corp., Attn: Shamy, Shippers & Lonski, PC, 251 Livikngston Avenue,  
 New Brunswick, NJ 08901-3055  
 516041730 Bank of America Home Loans, PO Box 5170, Simi Valley, CA 93062-5170  
 516041731 +Bridgeton P&H Supply Co., 756 N. Pearl Street, PO Box 397, Bridgeton, NJ 08302-0307  
 516052983 +CREDIT ACCEPTANCE CORP, 25505 WEST 12 MILE RD, SOUTHFIELD, MI 48034-8316  
 516041732 Capital One Bank, PO Box 30285, Salt Lake City, UT 84130-0285  
 516273815 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083  
 516041734 +Chase/Bank One Card Serv, PO Box 15298, Wilmington, DE 19850-5298  
 516041735 Comcast, PO Box 3002, Southeastern, PA 19398-3002  
 516041736 Credit Acceptance Corp, PO Box 551888, Detroit, MI 48255-1888  
 516041737 +Fein Such Kathn & Shepard, PC, 7 Century Drive, Suite 201, Parsippany, NJ 07054-4673  
 516041739 +First Premier Bank, 3820 N. Louise Avenue, Sioux Falls, SD 57107-0145  
 516041740 +Midland Credit Mgt. Inc., PO Box 2121, Warren, MI 48090-2121  
 516178990 +Midland Funding, LLC, P.O. Box 2011, Warren, MI 48090-2011  
 516084837 +NJM Ins. Group, 301 Sullivan Way, West Trenton, NJ 08628-3406  
 516580943 +Nationstar Mortgage, LLC, Robertson, Anschutz & Schneid P.L., Bankruptcy Department,  
 6409 Congress Ave. Suite 100, Boca Raton, FL 33487-2853  
 516041742 +New Jersey Manufacturers Inc., Attn: Covergent Commercial Inc., 925 Westchester Avenue,  
 Suite 101, White Plains, NY 10604-3562  
 516307913 +ROBERTSON, ANSCHUTZ & SCHNEID, P.L., BANKRUPTCY DEPARTMENT, 6409 CONGRESS AVE., SUITE 100,  
 BOCA RATON, FL 33487-2853  
 516041744 South Jersey Gas Co., PO Box 6091, Bellmawr, NJ 08099-6091  
 516041747 +TD Bank USA/Target Credit Card, PO Box 673, Minneapolis, MN 55440-0673  
 516041749 +Verizon, 500 Technology Drive, Suite 300, Weldon Spring, MO 63304-2225  
 516041750 Wallace Supply Copmany, 108 S. W. Blvd & Elmer Street, Vineland, NJ 08360

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Jun 19 2017 22:06:26 U.S. Attorney, 970 Broad St.,  
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534  
 smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Jun 19 2017 22:06:23 United States Trustee,  
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
 Newark, NJ 07102-5235  
 516173911 E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Jun 19 2017 22:11:54  
 American InfoSource LP as agent for, Verizon, PO Box 248838,  
 Oklahoma City, OK 73124-8838  
 516041729 E-mail/Text: bankruptcy@pepcoholdings.com Jun 19 2017 22:06:10  
 Atlantic City Electric Company, Pepco Holdings, Inc.,  
 Bankruptcy Division, Mail Stop 84CP42, 5 Collins Drive, Suite 2133,  
 Carneys Point, NJ 08069-3600  
 516041733 +E-mail/Text: bankruptcy@cavps.com Jun 19 2017 22:06:38 Cavalry Portfolio Service,  
 500 Summit Lake Drive, Valhalla, NY 10595-2322  
 516135942 +E-mail/Text: bankruptcy@cavps.com Jun 19 2017 22:06:38 Cavalry SPV I, LLC,  
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-1340  
 516041738 +E-mail/Text: bknotices@fenton-mcgarvey.com Jun 19 2017 22:05:48 Fenton McGarvey Law Firm,  
 2401 Stanley Gault Parkway, Louisville, KY 40223-4175  
 516041741 +E-mail/Text: bankruptcydpt@mcmcg.com Jun 19 2017 22:06:22 Midland Funding, LLC,  
 8875 Aero Drive, Suite 200, San Diego, CA 92123-2255  
 516041743 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jun 19 2017 22:12:43  
 Portfolio Recovery Associates, LLC, 120 Corporate Blvd, Norfolk, VA 23502  
 516259083 +E-mail/Text: JCAP\_BNC\_Notices@jcap.com Jun 19 2017 22:06:36 Premier Bankcard, Llc,  
 c o Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-7999  
 516269877 E-mail/Text: bnc-quantum@quantum3group.com Jun 19 2017 22:06:18  
 Quantum3 Group LLC as agent for, Sadino Funding LLC, PO Box 788,  
 Kirkland, WA 98083-0788  
 516041745 E-mail/Text: bankruptcy@sw-credit.com Jun 19 2017 22:06:27 Southwest Credit,  
 4120 International Parkway, Suite 1100, Carrollton, TX 75007-1958  
 516041746 E-mail/PDF: gecsed@recoverycorp.com Jun 19 2017 22:12:49 Synchrony Bank/Walmart,  
 PO Box 965050, Orlando, FL 32896-5060  
 516249176 +E-mail/Text: bncmail@w-legal.com Jun 19 2017 22:06:32 TD Bank USA, N.A.,  
 C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132  
 516041748 +E-mail/Text: bankruptcy@td.com Jun 19 2017 22:06:30 TD Bank, N.A., PO Box 9547,  
 Portland, ME 04112-9547

TOTAL: 15

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0



District/off: 0312-1

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 39

Date Rcvd: Jun 19, 2017

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 21, 2017

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 16, 2017 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor BANK OF AMERICA, N.A. dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com  
John R. Morton, Jr. on behalf of Creditor Credit Acceptance Corporation  
mortonlaw.bccraig@verizon.net, tfitz@mortoncraig.com;mhazlett@mortoncraig.com  
Joshua I. Goldman on behalf of Creditor BANK OF AMERICA, N.A. jgoldman@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Joshua I. Goldman on behalf of Creditor Bank of America, N.A. jgoldman@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Justin Plean on behalf of Creditor NATIONSTAR MORTGAGE LLC jplean@rasflaw.com,  
bkyecf@rasflaw.com;ras@ecf.courtdrive.com  
Laura M. Egerman on behalf of Creditor Nationstar Mortgage LLC bkyecf@rasflaw.com,  
gshasa@rasnj.com;bkyecf@rasflaw.com;legerman@rasnj.com  
Richard S. Hoffman, Jr. on behalf of Debtor Craig R. Hughes, Jr. rshoffman@hoffmandimuzio.com,  
lmcevoy@hoffmandimuzio.com;jslachetka@hoffmandimuzio.com  
Richard S. Hoffman, Jr. on behalf of Joint Debtor Michelle L. Hughes  
rshoffman@hoffmandimuzio.com, lmcevoy@hoffmandimuzio.com;jslachetka@hoffmandimuzio.com  
Tammy L. Terrell on behalf of Creditor BANK OF AMERICA, N.A. bankruptcy@feinsuch.com  
TOTAL: 10